

13281 U.S. PTO
020504

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)

Attorney Docket: 080313.48830D1

00727 U.S. PTO
10/771331
020504

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop: Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation or X divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/551,883

Filed on April 18, 2000

Of Orlaw MASSER et al.

Entitled: DLC Coating System and Process and Apparatus as Process and Arrangement for Producing Such a Layer System

Examiner: A. Turner

Group: 1775

- X 1. Accompanying this order is a true copy of the prior application as originally filed.

Total pages 54

- X 2. New Formal drawings are being filed herewith consisting of 6 Sheets, depicting Figures 1-6.

- X 3. Declaration and Power of Attorney:

a. Newly executed (original or copy)

b. X Copy from prior application

i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application



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- ☒ 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ☐ 5. Cancel original claims_____.

- ☐ 6. Small entity status:

a. ☐ A small entity statement is enclosed

b. ☐ A statement of small entity status (copy attached) was filed on ☐ in the prior application and status as a small entity is still proper and desired.

c. ☐ Is no longer claimed

- ☒ 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee						<u>\$385</u>		<u>\$770.00</u>
Total Claims	<u>32</u>	-	20	=	<u>12</u>	x	9	= \$ <u>18</u> = <u>\$216.00</u>
Ind. Claims	<u> </u>	-	3	=	<u> </u>	x	43	= \$ <u>86</u> = \$ <u> </u>
<u> </u>	Multiple Dependent Claims			+	145	=	\$ <u>290</u>	= \$ <u> </u>
Total						\$ <u> </u>		<u>\$986.00</u>

- ☐ 8. Please charge my Deposit Account No. 05-1323 (Docket #) in the amount of \$.

- ☒ 9. A check in the amount of \$986.00 to cover the filing fee is enclosed.

- ☒ 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket # 080313.48830D1).

- X 11. Amend the specification by inserting before the first line the sentence: --This application is a division of application Serial No. 09/551,883, filed April 18, 2000--.
- X 12. Priority of Application. No. 100 18 143.0, filed in Germany on April 12, 2000, is hereby claimed under 35 U.S.C. 119.
- X 13. A certified copy of each said priority document was filed in application Serial No. 09/551,883 on August 17, 2000.
- X 14. The prior application is assigned of record to Balzers Aktiengesellschaft.
- X 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- X a. The power appears in the original application papers in the prior application.
- X b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

Customer No.

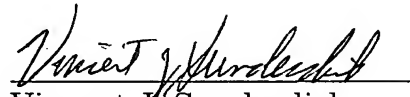
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- X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.

- X 17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.
- X 19. Other: Application Data Sheet
- X 19. Information Disclosure Statement

Respectfully submitted,

February 5, 2004


Vincent J. Sunderdick
Registration No. 29,004

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Document#302353